

02/05/02

1c950 U.S. PTO

02-07-02

PATENT A

UTILITY PATENT APPLICATION TRANSMITTAL

(only for new non-provisional applications under 37 CFR §1.53(b))

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231
Sir:

Transmitted herewith for filing is the patent application
under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: DEAV2001/0002
INVENTORS: Günter Müller et al.
TITLE: SACCHAROMYCES CEREVISIAE
YEAST STRAIN WITH FUNCTIONAL EXPRESSION
OF A GLUT TRANSPORTER

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
Express Mail in an envelope addressed to
Commissioner for Patents, Washington, D.C. 20231,
on

February 5, 2002
Date of Deposit
Signature *Dolly Kapadia*
Express Mail No EL 916210810 US

1c971 U.S. PTO
10/067449
02/05/02

APPLICATION ELEMENTS

1. ☒ *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

Total Pages

34

3. ☐ Drawing(s) (35 U.S.C. 113)

Total Sheets

4. Oath or Declaration

Total Pages

- a. ☒ Unexecuted Declaration

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))
(for continuation/divisional with Box 16 completed)

- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior
application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)

6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☒ Computer Readable Copy
b. ☒ Paper Copy (identical to computer copy)
c. ☒ Statement verifying identity of above copies

☐ If a **CONTINUING Application**, check appropriate box, and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part

of prior application no: _____, filed _____.

Examiner _____, Group/Art Unit _____.

(The cross reference has been/will be inserted on page one of the specification).

☐ This application claims the benefit of U.S. Provisional Application No. _____,
filed _____. (The cross reference has been/will be inserted on page one of the specification).

☐ **Incorporation By Reference** (useable if filing a continuation/divisional and a copy of the declaration from the prior application is enclosed.)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS

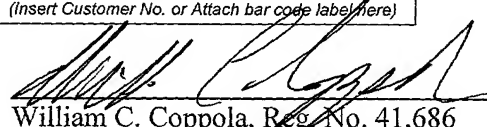
7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ *Small Entity Statement(s) ☐ Statement filed in prior application,
(PTO/SB/09-12) Status still proper and desired
14. ☒ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☐ Other: _____

CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

005487

(Insert Customer No. or Attach bar code label here)


William C. Coppola, Reg. No. 41,686
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Mail Code: EMC-G1
Bridgewater, New Jersey 08807-0800
Telephone (908) 231-4854
Telefax (908) 231-2626

Aventis Docket No. DEAV2001/0002

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

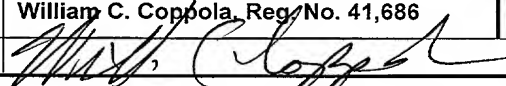
☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 998)

Complete if Known

Application Number	Not Assigned
Filing Date	February 5, 2002
First Named Inventor	Günter Müller
Examiner Name	Not Assigned
Group / Art Unit	Not Assigned
Attorney Docket No.	DEAV2001/0002

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																						
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None					3. ADDITIONAL FEES																																																																																																																																																																																						
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 18-1982 Deposit Account Name: Aventis Pharmaceuticals Inc.					<table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English Specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>					Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English Specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																						
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																								
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																							
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																							
139	130	139	130	Non-English Specification																																																																																																																																																																																							
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																							
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																							
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																							
115	110	215	55	Extension for reply within first month																																																																																																																																																																																							
116	400	216	200	Extension for reply within second month																																																																																																																																																																																							
117	920	217	460	Extension for reply within third month																																																																																																																																																																																							
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																																							
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																																							
119	320	219	160	Notice of Appeal																																																																																																																																																																																							
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																							
121	280	221	140	Request for oral hearing																																																																																																																																																																																							
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																							
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																							
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																																							
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																							
143	460	243	230	Design issue fee																																																																																																																																																																																							
144	620	244	310	Plant issue fee																																																																																																																																																																																							
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																							
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																							
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																							
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																							
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																							
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																							
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																							
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																							
1. BASIC FILING FEE <table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>740</td> <td>201</td> <td>370</td> <td>Utility filing fee</td> <td>740</td> </tr> <tr> <td>106</td> <td>330</td> <td>206</td> <td>165</td> <td>Design filing Fee</td> <td></td> </tr> <tr> <td>107</td> <td>510</td> <td>207</td> <td>255</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>740</td> <td>208</td> <td>370</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>160</td> <td>214</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>					Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	740	201	370	Utility filing fee	740	106	330	206	165	Design filing Fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee																																																																																																																																																
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																						
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																								
101	740	201	370	Utility filing fee	740																																																																																																																																																																																						
106	330	206	165	Design filing Fee																																																																																																																																																																																							
107	510	207	255	Plant filing fee																																																																																																																																																																																							
108	740	208	370	Reissue filing fee																																																																																																																																																																																							
114	160	214	80	Provisional filing fee																																																																																																																																																																																							
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width: 100%;"> <thead> <tr> <th></th> <th>Large Entity</th> <th>Small Entity</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td>25</td> <td>-20**=</td> <td>5</td> <td>x 18</td> <td>= 90</td> </tr> <tr> <td>Independent</td> <td>5</td> <td>- 3**=</td> <td>2</td> <td>x 84</td> <td>= 168</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Large Entity	Small Entity	Extra Claims	Fee from below	Fee Paid	Total	25	-20**=	5	x 18	= 90	Independent	5	- 3**=	2	x 84	= 168	Multiple Dependent																																																																																																																																																																				
	Large Entity	Small Entity	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																						
Total	25	-20**=	5	x 18	= 90																																																																																																																																																																																						
Independent	5	- 3**=	2	x 84	= 168																																																																																																																																																																																						
Multiple Dependent																																																																																																																																																																																											
3. SUBTOTAL (1) (\$740)																																																																																																																																																																																											
3. SUBTOTAL (2) (\$258)																																																																																																																																																																																											
**or number previously paid, if greater, For Reissues, see above					Other fee (specify) _____																																																																																																																																																																																						
3. SUBTOTAL (3) (\$)																																																																																																																																																																																											

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William C. Coppola, Reg. No. 41,686	Registration No. (Attorney/Agent)	41,686
Signature		Telephone	(908) 231-4854
		Date	February 5, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Aventis Pharmaceuticals Inc. template

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
MULLER

Examiner: NOT ASSIGNED

Serial No.: NOT ASSIGNED

Art Unit: NOT ASSIGNED

Filed: **FEBRUARY 5, 2002**

Title: **SACCHAROMYCES CEREVISIAE
YEAST STRAIN WITH FUNCTIONAL
EXPRESSION OF A GLUT
TRANSPORTER**

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
Express Mail in an envelope addressed to
Commissioner for Patents, Washington, D.C. 20231, on

5 February 2002

Date of Deposit

Signature

Dolly Kapadia
EL 91621081045

Express Mail No.

STATEMENT REGARDING CONTENT OF PAPER AND COMPUTER READABLE COPIES PURSUANT TO 37 C.F.R. 1.821 (f)

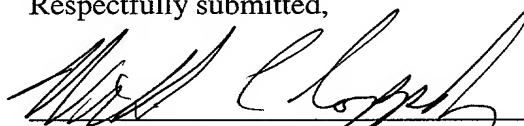
Commissioner for Patents

Washington, D.C. 20231

Sir:

The undersigned states that the content of the nucleotide and/or amino acid sequences set forth in the enclosed substitute pages of the "Sequence Listing" and the computer readable copies required by 37 C.F.R. 1.821 (e) submitted herewith are the same; and (2) the content of the substitute copy of the Sequence Listing and the computer readable copies required by 37 C.F.R. 1.821 (e) contain no new matter. Support for the Amendments can be found in the application as filed.

Respectfully submitted,



William C. Coppola, Reg. No. 41,686
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone (908) 231-4854
Telefax (908) 231-2626

Aventis Docket No. DEAV 2001/0002